

**Memorandum of Understanding
By and Between the City of Hamilton, Ohio and the
International Brotherhood of Electrical Workers, Local 648**

The following is a Memorandum of Understanding by and between the City of Hamilton, Ohio and International Brotherhood of Electrical Workers, Local 648 (collectively the "Parties") regarding attendance.

Notwithstanding any provisions of the collective bargaining agreement between the Parties to the contrary, the Parties hereby agree to the following:

Existing policy requires that an employee notify management in advance of the scheduled shift start when said employee is absent from work. This policy also requires an employee to notify management in advance of the scheduled start of the work shift when this employee will be late in reporting to work. Generally, these provisions are most relevant to unscheduled absences.

There are two situations which occur relative to tardiness. The first, involves an employee who has not called in before the start of the work shift as is required by existing policy. The second, applies to an employee who calls in before the start of his or her work shift:

Section 1. Employee Fails to Call in Before Start of Work Shift:

An employee who is tardy and has not called in before the start of his or her scheduled work shift will be considered to be in an unauthorized leave status.

The first occurrence of this type tardiness will result in the employee receiving a verbal reprimand and being docked pay as below.

A second occurrence within a twelve (12) month period will result in the employee not being permitted to go to work thereby forfeiting eight hours pay, and also, it will result in the employee receiving a written reprimand from the Supervisor.

A third occurrence within a twelve (12) month period will result in an automatic three-day suspension without pay.

A fourth occurrence within the twelve (12) month period will result in the scheduling of a pre-disciplinary conference with the employee being recommended for dismissal from service with the City of Hamilton.

Section 2. Employee Calls in Before Start of Work Shift as required

When an employee is tardy and has notified management in advance of the

start of the scheduled work shift, a different set of circumstances will initially occur.

The first occurrence of such tardiness will be considered to be an excused absence; however, the employee will be docked an appropriate amount of pay in accordance with the length of time he or she is tardy.

If the crew is still at the garage, the employee will be docked for lost time in increments as follows:

<u>Period Late</u>	<u>Time Docked</u>
0 - 15 minutes	¼ hour
16 - 30 minutes	½ hour
30 - 60 minutes	1 hour

In the event the crew has left for the job site and the employee must be transported by a Supervisor to the site, the employee's time for pay purposes will be started when he or she reaches the job site. Again, the amount of pay which will be docked will be figured in time increments as above.

In the event an employee has a second occurrence of tardiness within a thirty-day period, even though he or she has called in, the employee will receive a verbal reprimand from the Supervisor. Appropriate loss of time policy will be in effect as described above.

In the event an employee has a third occurrence of tardiness in this manner within a ninety-day period, the employee will be issued a written reprimand concerning the violation of Departmental attendance policies.

In the event the employee has a fourth occurrence of tardiness within a six-month period, the employee will be considered for disciplinary action involving a minimum three-day suspension without pay. In this particular situation, such disciplinary action will be meted out after a pre-disciplinary conference is scheduled by management.

If additional tardiness occurs within a one-year period, the employee will again be subject to disciplinary action up to and including dismissal from employment with the City. Such disciplinary action will be meted out after a pre-disciplinary conference is scheduled.

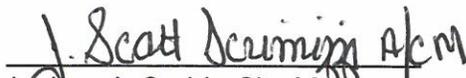
Section 3. An employee will not be disciplined under Section 2 of this Policy if the employee has six (6) or fewer unscheduled absences for sick leave, compensatory leave, and holiday leave within a twelve (12) month period. Unscheduled sick leave, compensatory leave, or holiday leave absences above six (6) within a twelve (12) month period will result in the discipline set forth in Section 2 of this Article unless the absences are required by a law such as the Family and Medical Leave Act and the Americans with Disabilities Act. One (1)

unscheduled absence will be counted for each day the employee uses leave time that is unscheduled without one-day's notice whether the employee uses 4 hours, eight (8) hours in one day, or some other amount of time. The provisions in the immediately preceding three (3) sentences are not applicable to discipline under Section 1 of this Policy.

Section 4. Excessive absenteeism or tardiness results in disruption to the scheduled activities, an excessive waste of Supervisor and management time in transporting employees to job sites and; further, results in a hardship on other employees who are available for work at the start of their work shift as required.

This Memorandum shall not be considered as precedent.

For the City of Hamilton:


Joshua A. Smith, City Manager

For IBEW, Local 648:


Jeff McGuffey, Business Manager

Approved as to Form:


Heather Sanderson Lewis

2/24/17